

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

IN RE:	:	CHAPTER 7
	:	
ALLISON MARIE FUQUEA,	:	
Debtor.	:	CASE NO. 20-40942BEM
	:	
	:	(HONORABLE BARBARA ELLIS-MONRO)

**NOTICE OF PLEADING (MOTION TO SELL ESTATE'S INTEREST
IN REAL ESTATE TO AMBER FORD PURSUANT TO 11 U.S.C. § 363(b), FOR
WAIVER OF FOURTEEN (14) DAY STAY SET FORTH IN FEDERAL RULE
OF BANKRUPTCY PROCEDURE 6004(h), REQUEST FOR APPROVAL OF
SHORTENED NOTICE PROCEDURES, AND FOR OTHER RELIEF),
DEADLINE TO OBJECT AND FOR HEARING**

PLEASE TAKE NOTICE that Thomas D. Richardson, Trustee in bankruptcy for Allison Marie Fuquea, by and through his undersigned attorneys, filed Trustee's Motion to Sell Estate's Interest in Real Estate to Amber Ford pursuant to 11 U.S.C. §363(b), for Waiver of Fourteen (14) Day Stay set forth in Federal Rule of Bankruptcy Procedure 6004(h), Request for Approval of Shortened Notice Procedures, and for Other Relief ("Pleading") seeking, inter alia, authority to sell the estate's interest in certain property known as 1314 East Hermitage Road, Rome, Floyd County, Georgia ("Property") to Amber Ford ("Buyer") for the sum of \$215,000.00, with Seller contributing \$4,000.00 in closing costs, all as more particularly described in the Pleading. If the Pleading is approved and the estate's interest in the Property is sold with a purchase price of \$215,000.00, Trustee anticipates the estate should net approximately \$40,000.00 after payment of real estate commissions, \$4,000.00 in closing costs, other costs attributable to Seller, and Debtor's exemption claim. Creditors and other parties in interest who wish to do so may review the Pleading on file with the Clerk of the United States Bankruptcy Court, 600 East First Street, Rome, Georgia 30161 during normal business hours or online at <https://ecf.ganb.uscourts.gov> (registered users) or

at <https://pacer.psc.uscourts.gov> (unregistered users). Creditors and other parties in interest who desire copies of the Pleading may also request copies by contacting Thomas D. Richardson via telephone (706-291-8853), email (trichardson@brinson-askew.com) or by U.S. Mail (P.O. Box 5007, Rome, GA 30162-5007).

PLEASE TAKE FURTHER NOTICE that a hearing on the Pleading has been scheduled for, and will be held on, **December 2, 2020 at 9:25 a.m.** in Courtroom 342, United States Courthouse, 600 East First Street, Rome Georgia.

Your rights may be affected by the Court's ruling on the Pleading. You should read the Pleading carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in the Pleading or if you want the Court to consider your views, then you and/or attorney must attend the hearing. You may also file a written response to the Motion with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how, and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address for the Clerk's Office is: Clerk, U. S. Bankruptcy Court, Room 339, 600 East First Street, Rome, Georgia 30161-3187. You must also mail a copy of your response to the undersigned at the address stated below.

Given the current public health crisis, hearings may be telephonic only. Please check the "Important Information Regarding Court Operations During COVID-19 Outbreak" tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone. <http://www.ganb.uscourts.gov/news/public-notice-regarding-court-operations-during-covid-19-outbreak>.

Dated: 11/16/2020



THOMAS D. RICHARDSON

Georgia Bar No. 604313

Attorney for Thomas D. Richardson,

Chapter 7 Trustee in bankruptcy for

Allison Marie Fuquea

**BRINSON, ASKEW, BERRY, SEIGLER,
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(706) 234-3574 (fax)

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CERTIFICATE OF SERVICE

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

Debtors(s):

Allison Marie Fuquea
40 E. Camelia Road, NE
Rome, GA 30161

Real Estate Professional(s):

Rich Montgomery
Howard Realty, Inc.
900 North Second Avenue
Rome, GA 30162

Parties-in-Interest

Floyd County Tax Commissioner
4 Government Plaza
Rome, GA 30161

Virginia Harman, Esquire
Floyd County Attorney
McRae, Smith, Peek, Harman & Monroe, LLP
111 Bridgepoint Plaza, Suite 300
Rome, GA 30161

Creditors filing Claims:

Capital One Bank (USA), N.A.
c/o Ashley Boswell
4515 North Santa Fe Avenue
Oklahoma City, OK 73118

Floyd Primary Care Physicians
c/o Julie Payne
P.O. Box 1882
Rome, GA 30162

Premier Bankcard, LLC
Jefferson Capital Systems LLC assignee
c/o Karen Borgmann
P.O. Box 7999
Saint Cloud, MN 56302-9617

LVNV Funding, LLC
Resurgent Capital Services
c/o Trisha Doan
P.O. Box 10587
Greenville, SC 29603-0587

Harbin Clinic LLC
c/o Nationwide Recovery Service
c/o Paula Jean Tilley
P.O. Box 8005
Cleveland, TN 37320-8005

Verizon
By American InfoSource as agent
c/o Ashley Boswell
4515 N. Santa Fe Avenue
Oklahoma City, OK 73118

This is to certify that on this day I caused a copy of the foregoing pleading to be served via Federal Express Overnight Mail, on the following parties at the address shown for each:

Cenlar FSB
c/o Brian K. Jordan, Esquire
Aldridge Pite, LLP
Fifteen Piedmont Center
3575 Piedmont Road, NE, Suite 500
Atlanta, GA 30305

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Case Management – Electronic Case Filing System (CM/ECF), which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case and are registered with CM/ECF:

Vanessa A. Leo (Office of the U.S. Trustee)

Jill S. Salter (Debtor's Counsel)

This 16 day of November, 2020.

**BRINSON, ASKEW, BERRY, SEIGLER,
RICHARDSON & DAVIS, LLP**

By: 

Thomas D. Richardson
Georgia Bar No: 604313
Attorney for Trustee in bankruptcy for the
estate of Allison Marie Fuquea

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